

RECESS

On motion of Senator Brooks, the Senate at 12:56 p.m. took recess until 2:00 p.m. tomorrow.

APPENDIX

Vetoed by Governor
(May 22, 1990)

S.B. 1

Signed by Governor
(May 22, 1990)

S.C.R. 4**FIFTH DAY**

(Continued)
(Wednesday, May 23, 1990)

AFTER RECESS

The Senate met at 2:00 p.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

House Chamber
May 23, 1990

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 25, Congratulating Jerry and Shirley Lawrence.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolution:

H.C.R. 23**SENATE BILL ON FIRST READING**

The following bill was introduced, read first time and referred to the Committee indicated:

S.B. 77 by Brooks
Relating to anatomical gifts.

Health and Human Services

RECESS

On motion of Senator Brooks, the Senate at 2:05 p.m. took recess until 3:30 p.m. today.

AFTER RECESS

The Senate met at 3:30 p.m. and was called to order by the President.

RECESS

On motion of Senator Brooks, the Senate at 3:38 p.m. took recess until 6:00 p.m. today.

AFTER RECESS

The Senate met at 6:00 p.m. and was called to order by the President.

SENATE BILL ON FIRST READING

The following bill was introduced, read first time and referred to the Committee indicated:

S.B. 80 by McFarland

Finance

Relating to authorizing a religious organization to file a late application for an exemption from ad valorem taxation.

MOTION IN WRITING

Senator Parker offered the following Motion in Writing:

The undersigned members of the Senate of the State of Texas in accordance with Article 4, Section 14 of the Texas Constitution respectfully move that **S.B. 1**, Fifth Called Session, 71st Legislature, vetoed by the Governor on May 22, 1990, be now reconsidered and passed by the Senate notwithstanding the objections of the Governor thereto and his veto and disapproval thereof.

PARKER	TRUAN
PARMER	ELLIS
GREEN	MONTFORD
BARRIENTOS	CARRIKER
GLASGOW	WHITMIRE
ZAFFIRINI	HALEY
CAPERTON	ARMBRISTER
BROOKS	SIMS
DICKSON	TEJEDA
EDWARDS	URIBE
JOHNSON	LYON
	SANTIESTEBAN

The Motion in Writing was read and was adopted by the following vote: Yeas 23, Nays 8.

Yeas: Armbrister, Barrientos, Brooks, Caperton, Carriker, Dickson, Edwards, Ellis, Glasgow, Green, Halcy, Johnson, Lyon, Montford, Parker, Parmer, Santiesteban, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Nays: Bivins, Brown, Harris, Henderson, Krier, Leedom, McFarland, Ratliff.

CAPITOL PHYSICIAN

Senator Zaffirini was recognized and presented Dr. James Lee of Seguin.

Dr. Lee, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

**COMMITTEE SUBSTITUTE
SENATE BILL 56 ON SECOND READING**

On motion of Senator Caperton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 56, Relating to appropriations to the Central Education Agency.

The bill was read second time.

Senator Tejeda offered the following amendment to the bill:

Amend **C.S.S.B. 56** by adding appropriately numbered sections to read as follows:

SECTION . Subsection (b), Section 16.302, Education Code, as added by **S.B. 1**, Acts of the 71st Legislature, 5th Called Session, 1990, is amended to read as follows:

(b) Beginning with the 1993-1994 school year the Legislative Education Board, under Section 16.008 of the code, and the foundation school fund budget committee, under Section 16.256 of this code, shall calculate rates for "GL" and for the limitation on "DTR" under Section 16.303 of this code using a percentile of property wealth per weighted student that is at the 95th [90th] percentile. The rates calculated will replace the rates stated in this section and Section 16.303 of this code.

SECTION . Section 16.202(a), Education Code, as amended by **S.B. 1**, Acts of the 71st Legislature, 5th Called Session, 1990, is amended to read as follows:

(a) On a biennial basis, the Legislative Education Board and the Legislative Budget Board, with the assistance of the Educational Economic Policy Center and the Central Education Agency, shall complete each of the following studies and develop recommended amounts where appropriate for each year of the next biennium:

(1) a study of the fiscal neutrality of the system to determine the status of the state and local finance system with regard to the policies established under the provisions of Section 16.001 of this code, including recommendations for adjustments necessary to maintain fiscal neutrality;

(2) the accountable costs per student to school districts of providing educational programs, personnel, and other operating costs that meet accreditation criteria and the provisions of law and regulation;

(3) a cost of education index designed to reflect the geographic variation in known resource costs and costs of education due to factors beyond the control of school districts;

(4) program cost differentials designed by program to provide support for the added expense of high-cost courses or programs for students participating in such courses or programs;

(5) transportation and career ladder allotments;

(6) the accountable costs per student to districts rated as exemplary under the provisions of Subchapter T of Chapter 21 of this code for the provision of personnel, programs, and other operating expenses, with the limitation that this level may not be less than [90 percent nor more than 100 percent of] the 95th percentile of state and local revenue per pupil;

(7) the levels of tax effort necessary for each tier of the Foundation School Program necessary to fulfill the requirements of Section 16.001 and 16.008 of this code; and

(8) capital outlay and debt service requirements and formula elements for the requirements of Subchapter I of this chapter or other provisions of this chapter.

TEJEDA
ZAFFIRINI

The amendment was read and was adopted viva voce vote.

RECORD OF VOTES

Senators Bivins, Brown, Leedom, Harris and McFarland asked to be recorded as voting "Nay" on the adoption of the amendment.

RECORD OF VOTE

Senator Caperton asked to be recorded as voting "Present-not voting" on the adoption of the amendment.

On motion of Senator Caperton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

RECORD OF VOTES

Senators Bivins, Brown, Harris, Henderson, Leedom and McFarland asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 56 ON THIRD READING

Senator Caperton moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that C.S.S.B. 56 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Ratliff.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

Yeas: Armbrister, Barrientos, Brooks, Caperton, Carriker, Dickson, Edwards, Ellis, Glasgow, Green, Haley, Johnson, Krier, Lyon, Montford, Parker, Parmer, Santiesteban, Sims, Tejeda, Truan, Uribe, Whitmire, Zaffirini.

Nays: Bivins, Brown, Harris, Henderson, Leedom, McFarland, Ratliff.

MEMORIAL RESOLUTIONS

S.R. 94 - By Barrientos: In memory of Abdon Rivera "Phoebe" Herrera.

S.R. 101 - By Truan: In memory of Roberto Ornelas of Dallas.

CONGRATULATORY RESOLUTIONS

H.C.R. 25 - (Armbrister): Extending congratulations to Jerry and Shirley Lawrence.

S.C.R. 13 - By Lyon: Inviting the people of Bavaria to join Texas in a sister state relationship of friendship and commerce.

S.C.R. 14 - By Krier: Recognizing Dwight David Eisenhower on June 6, 1990, the centennial of his birth.

S.R. 86 - By Barrientos: Extending congratulations to James Bowie High School Bulldog Band on earning the Grand Sweepstakes Trophy at the All American Music Festival in Orlando, Florida.

S.R. 87 - By Barrientos: Commending Police Chief David Buesing as he completes 10 years of meritorious devotion to the well-being and security of the citizens of Pflugerville.

S.R. 88 - By Lyon: Commending Noble Welch for his invaluable contributions to the City of Terrell.

S.R. 89 - By Truan: Extending congratulations to Leo N. Duran on receiving the Nueces County Bar Association's Cecil E. Burney Humanitarian Award and commending him for his generosity and effectiveness in helping his fellowman for more than five decades.

S.R. 90 - By Brooks: Extending congratulations to Mr. and Mrs. Clarence Wolters on their 55th wedding anniversary.

S.R. 91 - By Brown: Extending congratulations to Brian Odom on the recognition he received at the 41st International Science and Engineering Fair.

S.R. 92 - By Brown: Extending congratulations to Don Jefferies on being selected Most Outstanding High School Principal in District IV by the Texas Association of Secondary School Principals.

S.R. 93 - By Brown: Extending congratulations to Kelly Kramer on the recognition she received at the 41st International Science and Engineering Fair.

S.R. 95 - By Ellis: Commending Olivia Walker on a job well done and extending best wishes to her for continued success in all future endeavors.

S.R. 96 - By Brown: Extending congratulations to Chris Long for his impressive showing in the feature writing competition of the University Interscholastic League state academic competition.

S.R. 97 - By Brown: Extending congratulations to the Clear Brook Wolverine Band for winning the coveted American Music Classics Superior Award for an outstanding performance at the Bluebonnet Classic music festival in San Antonio.

S.R. 98 - By Krier, Tejeda, Zaffirini: Extending congratulations to Homero Rodriguez on his retirement as regional administrator of the Texas Department of Human Services.

S.R. 99 - By Truan: Extending congratulations to Sandra Garza, the reigning Junior Women's Texas State Champion of the United States Tae kwon do Union.

S.R. 100 - By Truan: Extending congratulations to William R. "Billy" Edwards III on his distinguished service as chairman of the Nueces County Democratic Party.

RECESS

On motion of Senator Brooks, the Senate at 6:50 p.m. took recess until 2:00 p.m. tomorrow.

APPENDIX

Signed by Governor
(May 22, 1990)

S.B. 42 (Effective date contingent on passage
of **S.B. 1** which did not pass)